

FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983
**IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

Broken hand in facility COMPLAINT

Bonhomme #206000 (Identification Number)

(Last Name)

Nija

(First Name)

Syvallus

(Middle Name)

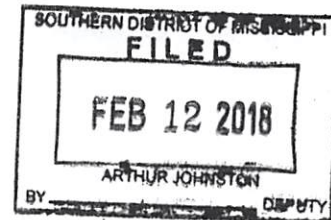
EMCF

(Institution)

10641 Hwy. 80 W. Meridian Ms. 39307

(Address)

(Enter above the full name of the plaintiff, prisoner, and address plaintiff in this action)



CIVIL ACTION NUMBER:

3:18cv 91-CWR-FKB

(to be completed by the Court)

v.
Officer K. Burke
Nurse Jane

(Enter above the full name of the defendant or defendants in this action)

OTHER LAWSUITS FILED BY PLAINTIFF

NOTICE AND WARNING:

The plaintiff must fully complete the following questions. Failure to do so may result in your case being dismissed.

- A. Have you ever filed any other lawsuits in a court of the United States? Yes () No (✓)
- B. If your answer to A is yes, complete the following information for each and every civil action and appeal filed by you. (If there is more than one action, complete the following information for the additional actions on the reverse side of this page or additional sheets of paper.)
- Parties to the action: _____
 - Court (if federal court, name the district; if state court, name the county): _____
 - Docket Number: _____
 - Name of judge to whom case was assigned: _____
 - Disposition (for example: was the case dismissed? If so, what grounds? Was it appealed? Is it still pending?): _____

PARTIES

(In item I below, place your name and prisoner number in the first blank and place your present address in the second blank. Do the same for additional plaintiff, if any).

I. Name of plaintiff: Nija S. Bonhomme Prisoner Number: 206000
 Address: East Mississippi Correctional Facility
10641 Hwy 80 W. P.O. Box 4217
Meridian, Ms. 39307

(In item II below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use the space below item II for the names, positions, and places of employment of any additional defendants.)

II. Defendant: K. Burke is employed as
an officer at EMCF
East Mississippi Correctional Facility

The plaintiff is responsible for providing the court the name and address of each plaintiff(s) as well as the name(s) and address(es) of each defendant(s). Therefore, the plaintiff is required to complete the portion below:

PLAINTIFF:

NAME: Nija S. Bonhomme ADDRESS: EMCF 10641 Hwy 80 W. Meridian Ms, 39307

DEFENDANT(S):

NAME: Jermaine Dockery ADDRESS: EMCF 10641 Hwy 80 W. Meridian Ms. 39307
Brain Mosely EMCF 10641 Hwy. 80 W. Meridian Ms 39307

GENERAL INFORMATION

- A. At the time of the incident complained of in this complaint, were you incarcerated because you had been convicted of a crime?
Yes (☒) No (☐)
- B. Are you presently incarcerated for a parole or probation violation?
Yes (☐) No (☒)
- C. At the time of the incident complained of in this complaint, were you an inmate of the Mississippi Department of Corrections (MDOC)?
Yes (☒) No (☐)
- D. Are you currently an inmate of the Mississippi Department of Corrections (MDOC)?
Yes (☒) No (☐)
- E. Have you completed the Administrative Remedy Program regarding the claims presented in this complaint?
Yes (☐) No (☒), if so, state the results of the procedure: _____

- F. If you are not an inmate of the Mississippi Department of Corrections, answer the following questions:
1. Did you present the facts relating to your complaint to the administrative or grievance procedure in your institution?
Yes (☐) No (☐)
 2. State how your claims were presented (written request, verbal request, request for forms): _____

 3. State the date your claims were presented: _____
 4. State the result of the procedure: _____

III. Which one of the individual inmates claims that the girl was the girl friend at the time. No I did not know, but as she conducted her way over towards me. She respectfully asked me do I need anything as I replied to her question. I advised her, yes I do. She asked what do I need, and I told her about my legal information. After that, she left and one of the inmates came to me and questioned me with authority about our conversation. I told him that it was not none of his business. At that point, he got real upset and then threatened me. He told me if I speak, with her again, he was going to beat me up. Which was already his intentions to do so at that point of time. So we started having a heated conversation about the situation, until the point he told me that he was going to run inside my room, soon as the floor for hours, because I did feel threatened and scared. During 4 O'clock count, I told an officer that one of the inmates which is a Organization member, told me that he was going to hurt me. He laughed, and said what do you want me to do. I told him I wanted to be moved, I replied. He said I cannot do that, which he could. And then walked off. After the C.O. Officer K. Burke left, the inmate came in as I was laying down. Pulled me out of my bed, and started hitting me, I didn't want to retaliate because I knew it would be worse and more consequences. But I had no choice at the time, so I did fight back. After I fought back, and received the upper hand. The other organization members came in and started hitting me, holding me down and kicking me which left a permanent scar on my face and my hand as the others held me down, for one of the to break my hand, and they did. It started from talking to an officer female which she was just doing her job, she did not mean any harm. I do not remember her name or face, because she didn't work at the facility long before quieting. Now the other officer, which is known as, K. Burke, he could have prevented the situation but meant him already didn't see eye to eye. Because I used to complain about minor situations, like light bulbs, or toilet tissue and he wouldn't do it unless you were an organization member. I did ask him to remove me from the pod/zone, several times fearing for my life. But he refused to cooperate with me concerning my matter leaving me and my life in Jeopardy. So I exited the Zone/Pod, with fear and in agony, after my hand was damaged and broken. I told them I need to go see the nurse numerous times because I have a broken hand. The response I received from officer K. Burke was you should put in a sick call, which is a medical request form. I said for a broken hand. The officer K. Burke replied. Yes! You know how this go. So I cursed and walked to the nurse office myself, without any assistance. She told me the something the officer said, so she sent me to go back to the zone. I told them they have to move me, so they did. I do, and will recognize the nurse, I am familiar with her face if I have to point her out. I do, and inmate that her name is ms. Jane, I'm not sure if that's correct. But that's the name I was given. They did move me to another pod/zone, and that was 2D, known as 2 Delta Pod/Zone. I was placed there without any medical attention, medicine to heal my pain and suffering. So as I was placed there, I stayed calm for awhile. The I started causing problems by telling the officer, K. Burke over and over about not having medication. It became a problem because he didn't want to help me, I saw it. So he threatened to search the cell I was in and told the inmates to tell whoever is in that cell with him to get their contraband, and move it because I am tired of his shit. Word for word. So I am about to shake him down. After that statement I made, the inmate said that everything is fine. We will handle the situation. So he said, if you don't, I will shake the whole zone down. Which he already knew that would start a serious problem, and get me hurt again. So, after he left they came to me and threaten to break my other hand, because of that statement. After I've been jumped on already, so I stopped. Even though my hand was still broke at the time, and full of all types of pain still.

III. They never came to bring me to the hospital until 1 to 2 weeks later. Concerning the incident. After going to the hospital the doctor told me that it was actually broken, but at the time it's not too much we can do, because it is not in a bad condition. So he said. This is what we can do, we can break it and do surgery on it to fix it, by putting a plate in your hand. Or we can leave it like it is, because you waited too long to come to the hospital. They said what do you want us to do about the situation, the doctor asked. I said re-break it, and fix it. So they did so. After that 2 or 3 days later, after my surgery. I got into another confliction with some different organization members, after my surgery was completed days after, and that's when I had to go back to the merit health center again, for them to re-stitch my hand back together. After they busted my hand open from it being sealed closed the first time from the hospital. The same officer, K. Burke caused them threaten me on 2 Delta, and do damage to me, the 2nd time. In both Zones/Pods, 1 Charlie and 2 Delta, on his shift I was hurt twice and threatened numerous times. But he never cooperated to help, or offer his assistance, or offer me any medical attention, by trying to get me to the nurse. Knowing the condition I was in, at the time of the incident. Just like the nurse as well as herself, Ms. Jane and officer, K. Burke was insufficence at the time, by denying my needs, my medical attention, violating my rights. As they both knew at the time, that my hand was broken and also aching with pain as they witnessed the tears on my face and the emotion as they changed by showing the agony caused by the inmates.

STATEMENT OF CLAIM

III.

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Also, include the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of different claims, number and set forth each claim in a separate paragraph. (Use as much space as you need; attach extra sheet if necessary.)

This is a brief summary of an incident that occurred in 2016. I am not sure or accurate about the alleged date it happened. Therefore, I cannot date it, or state any actual time frame. But I can inform you of the incident, and who was involved at the moment. As I was placed in the correctional facility of EMCF, I was booked, and placed in the zone located on 1. The zone where I was put in, was 1C, known as 1 Charlie. Further on, as I was an first time offender, I was not aware of the prison system, and how it operated. I also didn't know how corrupt, or unprofessional it was either. As I was in the zone, I stayed there for atleast 1 year. During somewhere in that time of being there, I got into a major conflict with an inmate, about an unnecessary situation. As I said before, I did not know the prison well at the time, so the argument started over a female,

RELIEF

IV.

State what relief you seek from the court. Make no legal arguments. Cite no cases or statutes.

I am requesting for a relief claim for the total amount of, 75,000\$
For the damage done to my ^{hand} at the correctional Facility of East Ms.
Not including the numerous denials of my medical attention,
concerning my health and condition at the time, or other complaints.
For my other claim, I would like to recieve 6-10,000\$ for the numerous
denials for my medical attention. Concerning my health condition.

Signed this _____ day of _____, 20____

Nija S. Bonhomme #206000
EMCF 10641 Hwy 80W, Meridian Ms 39307
 Signature of plaintiff, prisoner number and address of plaintiff

I declare under penalty of perjury that the foregoing is true and correct.

(Date)

Nija S. Bonhomme
 Signature of plaintiff